
Sent: 6/02/2022 11:28:30 PM
Subject: Mod2021/0885 - Attn: Phil Lane
Attachments: Mod2021_0885.docx;

Dear Mr Phil Lane,

Please see attached a submission for Mod2021/0885.

Kindest regards,

Wyndham Cramer

257/28 Oaks Avenue,
Dee Why NSW 2099
06 February 2022

Attn: Phil Lane
Principal Planner
Northern Beaches Council
via email

Dear Phil Lane,

Development Application DA2021/1314 (ourmedical Dee Why) and subsequent Mod2021/0885

I wish to bring to your attention several matters that have arisen in relation to the abovementioned DA. The issues raised by the submissions to the original DA were purported to be adequately addressed in the Assessment Report dated the 20 of October 2021 by the ongoing conditions and other measures imposed to justify the approval of DA2021/1314. In my view the following matters were not addressed adequately when granting the application, and I discuss each matter especially based on the impact on the first three days of operation of the illuminated signage.

1. Illumination (hours & intensity)

The signage has been installed in the premises and has been illuminated for three days now, being the 04, 05 and 06 of February 2022. The signage has been illuminated from dusk until 11:00 pm each day. The attached are pictures of the signage between 10 and 11 pm on Saturday the 05 of February 2022.

Clearly it breaches ongoing condition, clause 8 (hours of Illumination) in the notice of determination dated the 20 of October 2020 since it is outside the timeframe the signage illumination is permitted. It is also in breach of clause 9 causing "excessive light spill" to nearby premises. Please review that attached pictures. I am happy to provide you with more information if required.



2. Health and well-being (sleep deprivation)/amenity

The intensity of the lighting on Sign 1 is so great that someone from the council needs to view the illuminated signage when it is dark to understand the severe impact and the ineffectiveness of the conditions imposed to maintain the health and well-being of the affected residents. The notice of determination notes that the proposed signage will be over 30m at the closest point from the Lighthouse Development (northern side of Oaks Avenue) which is deemed adequate to ensure adequate spatial separation. The issue that was not considered was the size of the signage that was approved which was so much larger than the surrounding signage or for that matter any signage in Dee Why (see below) and therefore the distance of 30m is an inadequate distance to prevent lighting spill.

3. SEPP 64 and Streetview/streetscape

What has been approved is probably the largest signage/billboard in Dee Why. The reduction in signage from the original proposal was due to the background colour being changed from blue to white which is the background colour of the façade. Even with this reduction the signage would easily be the largest in Dee Why and is therefore incompatible with the surrounding signage. The size of the signage, when illuminated, renders the assertion that 30 meters of spatial separation is adequate for lighting spill incorrect.

Requested Action.

1. Reject Modification Request 2021/0885

- a. There has been no determination made on Mod2021/0885 as of the 06 of February 2022. I urgently request you to reject the applicant's request for modification of ongoing condition 9 where there is a

request to delete the words "between 10:00pm and 7:00am Monday to Saturday and 8:00pm and 7:00am on a Sunday or a public holiday" and instead insert the words "outside the approved hours of operation". The reasons provided in the application are:

- i. modification of clause 8 of DA2021/1314 is required to correlate the illumination of the approved signage with the approved hours of operation of the existing medical centre.
 - ii. further, the proposed modification provides the flexibility that should the hours of the medical centre be modified under a separate development consent, the hours of illumination will correlate with the approved existing and future hours of operation.
- b. The reasons provided for the modification of clause 8 are irrelevant since it nullifies the reason for clause 8 in the first place which was to 'to ensure residential premises are not affected by inappropriate or excessive illumination.'
- c. A further consideration should be the development applicant's inability, in only three days of operation, to adhere to the very lenient conditions of the determination which nonetheless are critical conditions to protect the amenity of the affected residents. Therefore, there should be no relaxation of the conditions which were imposed to protect the amenity of the nearby residents.

2. Consider revising the determination to DA2021/1314.

Please measure the intensity of the lighting required to maintain the separation of lighting spill and prescribe it as an ongoing condition of the DA. The DA states that the lighting is LED dimmable controls and therefore it could be possible to determine a setting that can be prescribed so that there would be certainty to all stakeholders ensuring a harmonious environment in the precinct.

Kindest regards,

Wyndham Cramer