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**Sent:** 2/07/2019 6:46:44 AM  
**Subject:** DA2019/0585 Lot 5 DP 978180 142 Sydney Road Fairlight

*We are the Owners of the Neighbouring property at 140 Sydney Road, Fairlight Trading as "Pie & Grind" and Premises above. We refer to the above application and raise the following concerns. The proposal is for shoptop housing which can only be permitted above retail or business premises. An area at the rear is identified as business suites however these would not satisfy the definition of business premises under the LEP which allows for a) an occupation, profession or trade (other than an industry) is carried on for the provision of services directly to members of the public on a regular basis, or (b) a service is provided directly to members of the public on a regular basis. This does not allow for office premises as is obviously the intent. In the circumstances the proposal would be prohibited as no viable business could operate from this part of the site. The proposed meeting room is not interconnected to the level above and hence will more than likely be used as self contained dwelling or separate business. This will create potential amenity impacts as well as additional parking and traffic demands. The plans appear inconsistent between the elevations and floor plans, however we have concern about the extent of the eastern blade wall and the necessity of its northward prolongation. This together with the other structures at the rear, have an overbearing scale and create an adverse visual impact and enclosure from within our rear courtyard. We request that the rear of the building aligns with our rear alignment*

*Regards Steve & Bronwyn Raschke  
140 Sydney Road Fairlight*

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