
From: [REDACTED]
Sent: 12/01/2024 11:24:16 AM
To: Council Northernbeaches Mailbox
Subject: TRIMMED Submission re Mod2021/0983 and the NBC v Land & Environment Court Case for 231 Whale Beach Road

In the matter of the proposed alterations to the DA on 231 Whale Beach Road. (Planning Section 455 Modifications Mod 2021/0983), our family would like to submit our objection to the developer trying to increase patron and staff numbers from 70 to 182.

The Developer initially proposed an amendment to the Council for a 269% increase to 188 versus the Council approved 70 patrons and staff for their retail space. We understand that they have now 'reduced' this to a 260% increase to 182 patrons and staff. An increase of this magnitude cannot be treated as being the same development nor can it be seen to have no impact on the amenity of parking, safety and noise for Whale Beach.

This substantial percentage increase in patronage and staff numbers will have the same multiplier impact on parking stress, the number of patrons leaving at night causing noise and behavioural issues as well as safety issues for not just Surf Road but The Strand, Whale Beach Road, Morella Road and Bynya Road for patrons, pedestrians and residents. We are regularly dealing with rubbish from the existing hospitality venues being dumped in our garden, intoxicated patrons becoming aggressive when asked not to foul our streets or to be quieter and to not park across our or our neighbour's driveways. This will be compounded by an unacceptable order of magnitude with the new venue especially if any amendments are made to the approved capacity of 70 patrons and staff.

The Developer has not addressed any concerns from residents or users of Whale Beach around how their site is providing no extra parking for their patrons and staff while expecting the Beachside parking and neighbouring residential streets to absorb any increase in numbers. The cumulative impact of patrons using the beach, the surf club, Moby Dicks hospitality venue and the Surf Club deck coffee shop already sees the car park full on fair weather weekends throughout the year already. The Developer's plan is completely inadequate. The burden of policing whether any of the proposed ameliorative measures are being consistently applied will fall upon the residents and users of Whale Beach which will be perpetually frustrating and ineffective.

Surf Road was not designed to be a High Street that accommodated retail. It is the only access road to Whale Beach and is a narrow carriageway as it is. Emergency Vehicles rely on this road for any incidents at Whale Beach. To introduce more than the 70 patrons approved by the Council with direct access to Surf Road is unsafe. Surf Road has never had any retail frontage in the space proposed ever in the history of Whale Beach. To increase capacity there will add further stress to the new stress created by garbage trucks, patrons on Surf road etc.

There is no public transport to Whale Beach. Buses, trucks and cars already struggle along Whale Beach Road given it is often a 1 lane road. Many users drive to Whale Beach even if residents of Whale Beach as the streets are steep so almost all users of Whale Beach rely on parking being readily available. To change all of this to enrich one developer who is not

providing any extra parking or other effective ameliorative measures for their proposed amendment is madness and must be completely rejected again.

We therefore ask that the Council's original approved number of 70 stands. The Council should not accept any compromises to a higher number as this would fundamentally change the amenity, usage and the neighbourhood of Whale Beach. There is an onsite meeting scheduled for the second half of March and we hope that the council will be empowered by the response from the residents on the day.

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