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**From:** DYPXCPWEB@northernbeaches.nsw.gov.au  
**Sent:** 1/11/2021 11:43:44 AM  
**To:** DA Submission Mailbox  
**Subject:** Online Submission

01/11/2021

MR Greg Bury  
6 / 252 Allambie RD  
Allambie Heights NSW 2100  
[REDACTED]

**RE: REV2021/0038 - 8 / 252 Allambie Road ALLAMBIE HEIGHTS NSW 2100**

Clare Constanzo  
Planner  
Northern Beaches Council

RE: APPLICATION REV2021/0038 (DA2021/0418)

We received the notification letter from the council regarding the review of application for 8/252 Allambie Road Allambie Heights REV2021/0038 (DA2021/00038). We have owned and operated our business from Unit 6 in the same complex for thirteen and half years and have concerns regarding the proposed changes to the development application.

Our primary concern is that if approved the usage of the property 8/252 Allambie Road Allambie Heights changes from a Warehousing and Distribution (as per the original approved DA) to a Retail operation. A Retail operation brings customers, to facilitate customers parking spaces are needed, the applicants' units parking spaces are limited. Each unit within the complex has a nominated amount of parking spaces allocated to them, currently during normal trading hours all available parking spaces are being used by the occupants.

The driveway to the complex is steep and there are currently many deliveries to and from the complex every day. There is often congestion and turning space for larger trucks are limited. Our concern is that with the addition of retail customers arriving by car, and on public transport nearby, the risk of personal injury and damage to personal property will increase. There will also be the temptation for visitors to the applicant's premises to park in spots other than those allocated to the applicant.

A second objection we have is the proposed size of the signage. All current owner/occupiers and tenants have standardised their signage to free-standing signs in garden beds outside their units. The applicant's signage is obtrusive and out of character in our opinion.

We would like to make mention of the reasons for refusal that council stated in their Notice of Determination dated 3/6/2021 as many if not all are relevant to the review of the application

1. The categorisation of the land use as a "health care facility" is incorrect. The proposed use should be properly characterised as a "business premises". A "business premises" is a prohibited land use in the B7 Business Park zone under the Warringah Local Environmental Plan 2011 (WLEP 2011) and therefore inconsistent with section 4.3 of the Environmental

Planning & Assessment Act 1979.

2. Pursuant to Section 79C(1)(a)(i) of the Environmental Planning and Assessment Act 1979 the proposed development is inconsistent with the provisions of State Environmental Planning Policy 64 - Advertising and Signage.

3. Pursuant to Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979 the proposed development is inconsistent with the Clause 1.2 Aims of The Plan of the Warringah Local Environmental Plan 2011.

4. Pursuant to Section 79C(1)(a)(i) of the Environmental Planning and Assessment Act 1979 the proposed development is inconsistent with the provisions of Clause Zone B7 Business Park of the Warringah Local Environmental Plan 2011.

5. Pursuant to Section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979 the proposed development is inconsistent with the provisions of Clause A.5 Objectives of the Warringah Development Control Plan.

6. Pursuant to Section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979 the proposed development is inconsistent with the provisions of Clause C3 Parking Facilities of the Warringah Development Control Plan.

7. Pursuant to Section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979 the proposed development is inconsistent with the provisions of Clause D23 Signs of the Warringah Development Control Plan.

We hope that you will take our above objection into consideration when making your decision.

Regards,

Greg and Marilyn Bury  
Kidearn Pty Ltd  
Unit 6, 252 Allambie Road, Allambie Heights NSW 2100