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**From:** Sentech  
**Sent:** 1/05/2025 9:35:00 PM  
**To:** Council Northernbeaches Mailbox  
**Subject:** TRIMMED: DA2024/1362 40 Myoora Road Terrey Hills Submission to Claire Ryan  
**Attachments:** DA2024-1362 40 Myoora Road Terrey Hills NSW 2084 (F).docx;

To : Claire Ryan

RE: DA2024/1362 40 Myoora Road Terrey Hills Submission to Claire Ryan

Hi Claire,  
Find attached our submission for DA2024/1362 40 Myoora Road Terrey Hills

**\*\*\*\*\*If Possible blank out address when published on line\*\*\*\*\***

Regards  
Mrs R Totino

To: Claire Ryan

29/04/2025

From: Mrs. R Totino  
[REDACTED]  
[REDACTED]

**Re: DA2024/1362**

40 Myoora Road Terrey Hills

Demolition works and construction of mixed use hospitality venue with supporting car parking, servicing and landscaping works.

Dear Claire Ryan,

I am writing in reference to DA2024/1362 and ask this letter be added to my previously submitted letter dated 15/11/2024 and ask council/panel to consider my points in relation to the amended DA.

Our view on the amended DA has not changed **We ask council/panel to REJECT this DA.**

-The amended DA still has over 500 persons and this number is far too large for RU4 and the Local infrastructure.

-The updated traffic report still not address the amount of vehicle movements not to mention were they will exit the area, the problem still exists that vehicles cannot exit the area in great numbers without blocking all exit roads of which there are only three.

-Who will be responsible in a fire emergency when the cumulative number of people could reach well over 2500 people if all venues are occupied on just the Myoora road precinct alone.

-We believe the rule of **"Order of occupancy"** applies to this DA published 30 June 2024 from Nsw Government and Premier Mins.

As our family has occupied our land for over 60 years as we are first the entertainment offerings should be limited, live music and amplified music should be banned.

Also the trigger levels should be lower than otherwise stated to keep the RU4 area in good standing.

As the outdoor stage has been removed its likely other areas could be used, council needs to be specific In relation that any outdoor area must not be used for live music and or amplified music.

The noise and licensing reforms coming into effect from 1 July include:

- Order of occupancy. This will become a central consideration in determining disturbance complaints and considers whether the licensed venue or the complainant occupied their premises first. The party established first will be favoured in determining disturbance complaints. This will prevent incoming residents restricting the entertainment offerings or operating hours of already established venues.

- The amended acoustic report still does not address my previous points and are not based on any real world measurements.
- It was noted that they are not sure why Northern beaches council wants more mitigation (from first DA) when their predictive modelling shows all will be ok.
- From MAC report dated 03/04/2025
- "It is unclear as to why NBC requires the implementation of additional physical measures when the NA Report demonstrates compliance with the applicable noise criteria"
- We would still welcome permanent acoustic monitors to be placed if construction and or operating goes ahead to record REAL world results not calculated ones.
- Council has suggested a 30 day monitoring of levels, this is far too short of a period a 6 month to 1 year would be more realistic to get a good overall acoustic picture.
- It's unclear in the acoustic report how many noise limiters will be installed and their placement.
- It is clear they are not interested in blending in with the RU4 area or working with residences nearby.
- There is no additional noise mitigation from their first plans, no acoustic barriers or double glazing windows to address not only live music and amplified music but patronage noise and car movements.
- Residences near this DA should have their concerns given more weight (Order of occupancy) as we are in a unique RU4 area and not a normal residential zone. There are only a few residences that will be effected so the Liquor and gaming rules in terms of complaint handling means we cannot complain.  
**Council needs to impose the same rules as other commercial interests in terms of live and amplified music as stated by my previously submitted letter dated 15/11/2024**
- The way complaints will be handled is not clear, from their plan of management complaints are only handled internally, how do we know that complaints will be dealt with from residences nearby.
- I cannot find any information on how they intend to perform "glass crushing" many operators from my understanding crush empty bottles and other empty glass containers, I would hope there would also be limits and placement and time restriction as not disturb nearby residence.  
They could well have it underground but I could not find any reference.
- The latest RFS report states that they are doing their own studies as the report that was originally done does not satisfy their criteria.
- The traffic report still has not shown how it will address Transport NSW report dated 12<sup>th</sup> November 2024 as to the large traffic flows in and out of the area.  
The reduction in patronage still has not addressed the key points made in this report.
- Council/Panel has not addressed parking issues along Mona Vale Road for many other DA's, where cars park on verge and breakdown lane virtually every day now. (see pictures below)  
The problem is becoming a safety issue as these cars obstruct the view of cars trying to pull out onto the main road. It's only a matter of time till a fatality will occur as Mona Vale Road speed limit is 80KPH.  
A foot path should be part of the DA if it is passed to eliminate illegal parking with no stopping signs for cars trying to bypass the Myoora Road entry

Yours Sincerely  
R Totino

