



northern
beaches
council

MEMORANDUM

DATE: 6 December 2021
TO: Northern Beaches Local Planning Panel
CC: Rebecca Englund, Acting Development Assessment Manager
FROM: Adam Croft, Development Assessment Officer
SUBJECT: DA2021/1620 – 29 Moore Road FRESHWATER
REFERENCE: 2021/848399

Dear Panel,

The assessment report prepared for DA2021/1620 includes Condition 34 that was recommended by Council's Environmental Health Officer, which reads as follows:

34. Audibility of Amplified Music

Noise caused by the operation of amplified music must not be audible beyond the boundary of any residence between the hours of 10 pm to 8 am on any day.

Reason: to prevent noise nuisance to surrounding residents.

On 25 November 2021, Council received a request from the applicant that Condition 34 apply to the first floor only. This request contended that the condition is unnecessary given that the ground floor of the premises is subject to existing development consent and liquor license conditions relating to outdoor noise levels. It is also noted that the proposed works at the ground floor level are limited to upgrades to the acoustic glazing around the perimeter of the balcony/terrace.

The applicant's request was reviewed by Council's Environmental Health team, who confirmed that Condition 34 can be limited to the first floor only based on the existing conditions applicable to the development.

Therefore, it is recommended that the wording of Condition 34 be amended to read as follows:

34. Audibility of Amplified Music

Noise caused by the operation of amplified music from the first floor of the premises must not be audible beyond the boundary of any residence between the hours of 10 pm to 8 am on any day.

Reason: to prevent noise nuisance to surrounding residents.

Adam Croft