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Sent: 2/05/2025 10:03:57 AM
To: DYPXCPWEB@northernbeaches.nsw.gov.au; DA Submission Mailbox
Subject: TRIMMED: Submission - DA2024/1362 - 40 Myoora Rd

To the assessing officer

Further to my previous submissions, I have reviewed the amended DA and make the following comments:

Traffic

Whilst the numbers have been only marginally reduced, the numbers are still in excess of permitted limits (acknowledged by the developer) and remain excessive for the local infrastructure, particularly traffic along Myoora Road.

I understand that a strategic study of the area is being undertaken with regard to the cumulative traffic impact from ongoing development, particularly development that:

- has already occurred (The Palms, Wyvern Hospital),
- is under construction (The Palms expansion),
- is expected to occur (eg Boathouse, Flower Power), as well as
- general local area growth (including from local schools including Terrey Hills Primary, German International, Japanese, Northern Beaches Christian)

This information should be available to the public and other government authorities for review and comment prior to any further significant development including this DA.

I note that the response from the Transport for NSW on the Mona Vale Aumuna Rd intersection. I add observations of:

- people parking in Kamber Rd and running and riding across 4 lanes of fast moving traffic with no pedestrian crossing.
- buses now turning right from Mona Vale Road into Aumuna Rd heading south into fast oncoming traffic (see image).

This is an unsafe intersection and the proposed development will further heighten the risks.



Noise

Expected noise and disturbance impacting on local residence's quiet enjoyment of their properties remains an issue.

Three restaurants with live external entertainment for 594 patrons is not consistent with either the RU4 zoning, the strategic intent of the Terrey Hills / Duffy's Forest area and many in the community who have lived on nearby rural properties for over 20 years.

Whilst the relevant authority for noise compliance and complaints is Liquor & Gaming, the DA appears to assert that the Council's views are near irrelevant. I submit that Council has a requirement to ensure that the development from the outset is consistent with the local quiet rural setting at the outset. To this end I refer to earlier submissions requesting Council to require entertainment equipment and building infrastructure is set up to contain the noise eg behind closed doors & windows and other sound barriers, with appropriate noise reducing double glazed windows, noise limiters and speakers facing away from residential settings.

This is particularly the case as the Liquor Act Disturbance Complaint Guidelines is highly onerous on pre-existing residence making complaints after the fact.

The Liquor & Gaming authority when considering compliance will likely have little regard to RU4 zoning. Therefore, Council needs to assert its intent and protection upfront on maintaining the quiet rural character. To this end, the Liquor Act Disturbance Complaint Guidelines requires the premise operates "in a way that contributes to, and does not detract from, the amenity of community life."

The Plan of Management requires more teeth as it is non-binding and capable of immediate change. For example:

- the plan says live entertainment will not occur after 10:00pm, but also refers to a midnight noise restriction. Conditions should prohibit live music after 10:00pm on weekends and after 6pm on week days without appropriate noise limiting conditions as mentioned above.
- The licensee should be required to have noise measurement equipment to log levels and stop futile and obstructive responses to reasonable complaints.

Yours sincerely

M. Jay MacGregor

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