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To: DA Submission Mailbox
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19/11/2024

MR JENNIFER HARRIS
313 / 313 - 313 ST
TERREY HILLS NSW 2084

RE: DA2024/1362 - 40 Myoora Road TERREY HILLS NSW 2084

Re DA2024/1362 Construction of mixed-use hospitality venue comprising 3 restaurants and ancillary supporting uses@ 40 Myoora Road Terrey Hills.

Dear Anne Marie,

I support the concept of a Boathouse restaurant and applaud the thoughtful design and generous landscaping; however, I cannot support the application in its current form until issues in relation to noise and traffic and parking have been adequately resolved.

Having read most of the supporting documentation I am of the view that the closure of Mona vale road and use of Myoora road for egress, ingress and potentially parking will result in unreasonable impacts on the local road network. Music 7 days per week could give rise to offensive noise affecting nearby residential properties and even church services.

1. Traffic and Myoora Road

Transport for NSW have confirmed that the that the Mona Vale Road/Aumuna Road intersection is currently performing very poorly, and that the additional traffic generated by the DA will create an unacceptable safety risk at this intersection

Given the intersection will be used by patrons of the other recently approved developments it would be unreasonable to impose that this developer fund traffic lights.

TfNSW with encouragement from Council could overcome the issue of this poorly functioning dangerous intersection by reducing the speed limit on Mona vale road to 70km/h between Forestway Fresh and Flower Power to allow all the businesses along that strip to use Mona Vale Road for access to enter and leave.

The use of Monavale road for access to the businesses is inconsistent. I am currently permitted to risk my life and that of my grandchildren to enter and leave a childcare centre with cars travelling at 80km behind me and pull in and out of ANL and Hills Flower Market across a solid white line with cars travelling at 80km on my tail, yet not able to enter Miramare or Flower Power once it is redeveloped. The current speed is dangerous a requires a speed reduction to 70km and consistency across the area.

The traffic report has not considered the cumulative impacts on traffic and parking from other

developments such as Wyvern Hospital, the recently approved Flower Power and Hills Flower Market expansion, all of which are not yet contributing to the traffic flow or parking demands on Myoora road and surrounds.

Poor strategic planning from Council over decades has seen development applications assessed in isolation and led to a shambles in the precinct road network which residents must navigate daily. Myoora road as it stands today bears no resemblance to an RU4 zone with low intensity land uses as required by the RU4 zone objectives.

Supporting documentation includes a traffic Report prepared for the Terrey Hills Tavern dated 2017. This report is outdated and given the vastly different clientele is not representative of the traffic generation expected from a Boathouse establishment. The Tavern is also located on an area of Aumuna Road which provides exclusive use of road verges for overflow parking. The verges are littered with vehicles on busy nights. Any available parking space on Myoora road is already in use by Miramare Gardens, Sandstone café, Hills Flower Market and most likely Wyvern Hospital after it opens.

The timing of the traffic survey is not representative of reality and should be carried out between 2-5 pm and not 4-6pm after the school hour rush.

The shuttle bus is welcomed but only available on Friday/ Saturday evenings. It is also difficult to envisage how Council could condition the provision of a shuttle bus in perpetuity. The Terrey Hills Tavern provided a shuttle bus in the past; however, I don't believe this service still operates.

2. Parking

297 car parking spaces for 794 patrons and 40 staff is insufficient. Underestimates in parking demand is demonstrated daily along Myoora road throughout the day and during large functions at Miramare when underground parking is full, and guests have no option but to park vehicles along the length of Myoora road.

The notion that a shortfall of 91 car spaces is nominal should be rejected. Even without other the large traffic generating developments in the vicinity, parking for 91 vehicles would likely exceed to length of available parking along that section of Myoora road.

I understand Councils DCP requires no more than 20% site coverage for buildings and includes basement carparking into the calculations. This seems non sensical and should be varied to accommodate additional basement parking.

Flexibility with the DCP to vary this requirement to allow additional basement parking would overcome concerns about overflow parking clogging local roads and unauthorised parking at adjoining venues. Increased basement parking minimises or removes the need for the overflow parking and would make the use of proposed outdoor landscaped area more appealing.

DCP requires bicycle parking for all new developments. Given Terrey Hills and Duffys Forest have become a mecca for bike riders who flock to many of the restaurants across the week, but particularly on the weekend, anecdotal evidence would suggest that the proposed 10 proposed bicycle parking spaces is insufficient

3. Noise.

The hours of operation are inconsistent between supporting documentation and need clarification. The acoustic report has based its noise assessment on operating hours between 8am -12am yet the Statement of Environmental Effects (SEE) specifies the hours of operation to be 7am-12am.

The MAC acoustic report notes that received noise levels are predicted to be from 5dB to 26dB below existing ambient noise levels at the assessed residential receivers. It is unclear how the report could determine this based on computer modelling testing and the use of the boathouse site monitoring location Figure 1 (L1) to measure ambient background noise.

The report provides predictions on outdoor amplified music at restaurant 2, however provided no assessment music during private functions at restaurant 1 & 3 such as weddings and birthdays. Although this music will be amplified indoors with 6mm glass it is likely that doors and windows will be open to allow patrons to flow between indoor and outdoor areas

Attended noise monitoring was conducted on Thursday 30 May 2024 at 11.58 am to quantify ambient background noise levels and confirmed that ambient traffic and commercial noise dominated the surrounding environment. While I don't profess to understand the complexities of acoustic monitoring, the report needs to clarify why attended noise measurements were recorded at 11.58am midweek and on the boathouse site when commercial operations are active on adjoining properties, rather than in the evenings when traffic from Mona vale road is substantially reduced, and other noise generating commercial activities are not in operation.

I do not understand how the monitoring location Figure 1 (L1) at the boathouse site is considered representative of surrounding residential receivers and considered representative of the ambient environment surrounding the project site. The most affected residential property across the road at the swim school and the property to south of the site should have receivers placed on their boundaries so that actual noise is monitored. Noise monitoring could be conducted on a trial basis to ensure these properties are not affected.

Real time acoustic monitoring at affected residential properties would be far more reassuring than the mitigation strategies outlined in section 8.2 of the acoustic report

The mitigation strategies outlined in the report rely on compliance by boathouse staff to only consider the following strategies

- Notify residents of upcoming entertainment and live music events through venue's website and/or via letter drop.
 - Consider the type of entertainment provided, and the frequency and timing of any entertainment programming hosted at your venue.
 - Consider the placement of amplifiers, speakers, band instruments, or stage set up within your venue and be mindful of locating such equipment near windows and doors or on surfaces through which sound or vibration may travel into adjoining residences or businesses.
 - Consider re-directing the angle of speakers to minimise noise leakage from your venue and reverberation impacts;
- Conduct regular perimeter checks and monitor sound levels at the boundary of your venue and any neighbouring residences;
- Consider lowering the volume of any amplified speakers or PA system in use at your venue, particularly during later trading periods;
 - Consider closing doors and windows when amplified music and entertainment is hosted at your venue, particularly those facing residential areas and during late trading periods;

Limit the use of speakers or hosting amplified entertainment in outdoor areas after certain times or during late trading periods;

It is unclear how an acoustic report can determine that there will be no noise impact on residential properties when proposed mitigation strategies above are only to be considered rather than enforced under conditions of consent.

The development is a significant improvement to the natural landscape on the site and would be supported, only if the issues outlined above are resolved.

Yours sincerely,

Jennifer Harris