
Sent: 24/08/2021 8:59:52 AM
Subject: Strata Objection use of cafe and the extention of time 24-8-21.pdf
Attachments: Strata Objection use of cafe and the extention of time 24-8-21.pdf;

Sent from my iPhone



Strata 19425
1026 Barrenjoey Road
Palm Beach NSW 2108

24.8.21


Mr. Nick Keeler
Planner
Northern Beaches Council
PO Box 82
Manly NSW 1655

DA2021/1311
Lot ADP 404349 1031 Barrenjoey Road Palm beach
Use of Premises as a café including change of hours

Strata 19425 (1026 Barrenjoey Road) refer to your notification letter dated 9th August 2021 regarding the development application for use of the café and extension of the hours to allow the use at night. We the Strata 19425 of 1026 Barrenjoey Road, which is located directly opposite the subject site, and wish to object to the proposal for the reasons articulated below.


We have no objection to operation of the Coast during daytime hours and we have made every effort to support Coast and local businesses during the hardship of the pandemic. However, we and the surrounding residents are strongly opposed to evening or nighttime operations given the severe amenity impacts on surrounding properties.

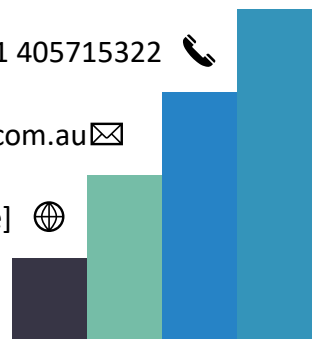
Over the past years there have been several occasions when the premises have been used at night unlawfully for functions. It has been our experience when such functions happen the

+61 405715322 

tony.tate@totalconstruction.com.au 

[Website] 

[Fax] 





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amenity impacts have been severe in terms of noise transmission where the evening and nighttime background noise levels are exceptionally low (30-35dBA).


We note the subject site is zoned R2 Low Density Residential and the use of the premises as a restaurant or café is a prohibited use and the applicant fails to provide any information demonstrating that the use of the site is lawful. Furthermore, the applicant has not demonstrated that the original consent is consistent with the use proposed under Clause 41 of the EPA Regulations.

Amenity Impacts

The submitted acoustic report prepared by Acoustic Dynamics and submitted with the application identified the nearest receivers as:


3A Iluka Road;
1028 Barrenjoey Road;
1029 Barrenjoey Road; and
1027 Barrenjoey Road.

These properties are on the flat portion of the surrounding lands and noise transmission is in large part masked by fences and walls. We know that noise propagates upslope with far greater consequences. The Strata property(s) 1026 is located approximately 25m above the subject site. Taking exacerbated conversations and music the noise from the premises would be 10 dB well above the 30-35dB background suggested by the acoustic report. During illegal function the noise level got so loud the occupants of units 1 & 2 1026 had to retreat into their homes behind closed doors (no cool sea breeze) and endure the stifling humid heat of a summer night.

+61 405715322 

tony.tate@totalconstruction.com.au 

[Website] 

[Fax] 





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The Stata confirms that we have no objection to the operation of Coast during normal daytime hours and we will make every effort to support the owners, but we and our neighbours strongly opposed the evening or nighttime operation given the severe amenity impact on the surrounding properties


Your sincerely

Anthony Tate

Stata Manager

+61 405715322 

tony.tate@totalconstruction.com.au 

[Website] 

[Fax] 