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Dear Northern Beaches Local Planning Panel,

Application No. DA2021/1620

Address: 29 Moore Road Freshwater & 31 Moore Road Freshwater

Description: Alterations and additions to an existing pub (Harbord Hotel)

In addition to my submission made on 11th October 2021 in relation to DA2021/1620, I wish to raise the following points in relation to the Council's assessment report.

Council's assessment report found 'the proposal is consistent with the aims of the LEP.'

Following is point 2 (e) of the aims of the Warringah LEP.

e) in relation to non-residential development, to—

(i) ensure that non-residential development does not have an adverse effect on the amenity of residential properties and public places,

The DA has an adverse effect on the amenity of the residential properties surrounding the venue and has been raised by 101 community submissions against the DA.

The panel are asked to please consider additional conditions that would alleviate the adverse effect on the amenity of the residential neighbourhood, as well as increase the feeling of safety and security for residents.

Conditions that would improve the amenity of the neighbourhood and reduce the adverse effect include;

- No public access to the balcony. The visual and auditory intrusion into neighbouring properties is significant and not adequately addressed in the assessment report. The assessment report does not acknowledge Council's earlier condition to protect the acoustic and visual privacy of adjoining/nearby properties. The following Council condition was imposed on the venue in a previous DA, to date has not been enforced, and has been raised in multiple submissions yet completely ignored by the assessment report.

No Clear Glass on Fence Panels The glass panels are not to be fitted with clear glazing. In this regard, the panels are to be installed with opaque or frosted treatment. Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate. Reason: In order to maintain acoustic and visual privacy to adjoining / nearby properties. (DACPLC06)

Frosted glass to the outdoor courtyard areas/balconies would provide visual privacy to neighbouring properties. It will not interfere with any heritage feature of the building. The current DA includes replacement of the glass panels to the courtyards, a condition should be included to

ensure they are replaced with frosted/opaque glass at the same time. The attached image is an example of the potential visual intrusion into the bedroom of 22 Moore Road from the balcony and courtyard.

- The panel should support the Police referral;
 - All windows on the first floor are to be closed and key locked by 9:00pm
 - Any external doors on the first floor are to be closed by 9pm.
 - All external entertainment is to cease by 9:00pm.
- Smoking should NOT be permitted from any of the external areas of the venue that face residences where minors can view. This is a matter of public health as well as safety for patrons below. An adequate smoking area is provided within the hotel.
- The traffic impact in the assessment report is limited to the issue of parking, i.e. patron to parking ratio. The impact of vehicles dropping off and picking up patrons has not been adequately considered. A condition to have all vehicles dropping off and picking up patrons managed within the hotel's car park will further alleviate the loss of amenity experienced by residents of Charles Street and Moore Road.

Currently the 'No Stopping' zone adjacent to 20 Moore Road and the driveway of 22 Moore Road are used day and night for the majority of drop off's and pick up's by vehicles with patrons arriving/departing the venue. Not only is it against the law to pull up in the no stopping zone, the driveway of 22 Moore Road is constantly blocked by vehicles and patrons, day and night. The disturbance caused by waiting patrons, car doors etc is detrimental to the amenity of the neighbours on Moore Road, particularly those sleeping in the bedrooms of 20 & 22 Moore Road. If managed in the car park of the hotel, away from residential properties, this would be an appropriate condition to include in the final recommendation, lessening the loss of amenity to the neighbours.

Attached find security footage from the camera monitoring the entry of 22 Moore Road. In the background it captures examples of the typical departure of patrons from the hotel late at night.

Groups of patrons congregate on the driveway of 22 Moore Road, speaking loudly, waiting for Ubers and taxis. In this case you will note the hotel security encouraging patron pick up from the driveway of 22 Moore Rd, as well as dangerously stopping vehicles in the middle of the road.

The proposal before Council and the panel is not consistent with the aims of the LEP. The recommendation by Council to approve the application has put the commercial gain of the applicant in front of the amenity of the neighbourhood and the right to the quiet enjoyment for the residents surrounding the venue.

The venue requires further conditions to ensure that it operates as a 'good neighbour'.

Kind regards,
Gabby Timbs