



MEMORANDUM

DATE: 22 November 2023

TO: Northern Beaches Development Determination Panel

CC: Rodney Piggott, Manager Development Assessment

FROM: Kye Miles, Planner

SUBJECT: Item No. 3.2 - DA2023/0782 - 20 Albert Street FRESHWATER

Council issued its Assessment Report to the Panel for Development Application DA2023/0782 relating to alterations and additions to existing restaurant and increase in hours of operation, which is scheduled for determination at the Panels meeting on 22 November 2023.

This supplementary memo seeks to clarify concerns raised in the Friends of Freshwater late submission, specifically, about the proposed hours of operation.

The assessment report and recommended conditions adequately deal with the remaining concerns raised in the other late submissions.

Friends of Freshwater late submission

Concern is raised that the proposed hours of operation (indoor) would be inconsistent with nearby comparable venues such as Stowaway and Gladitori. The submission requested the following:

- i. the DA proposal for St Alma outdoor dining area times be approved; and
- ii. the indoor dining times are the same as Stowaway.

In addition, the submission has provided a comparison of the closing times of the proposal and nearby venues in the table below;

	Stowaway	iGladitori	St A – now	St A inside	St A Outside
				Proposed	Proposed
Sunday	9.30	10.00	10.30	10.00	8.00
Monday		10.00		12.00	8.00
Tuesday	9.30		10.00	12.00	8.00
Wednesday	9.30	10.00	10.00	12.00	8.00
Thursday	10.00	10.00	10.00	12.00	8.00
Friday	11.30	10.00	10.30	12.00	10.00
Saturday	11.30	10.00	10.30	12.00	10.00

Figure 1. Friends of Freshwater late submission - dated 21 November 2023

However, it is worth noting that the operation hours for 'Stowaway' as approved under Mod2015/0184 are as follows:

A. Modify Condition 5. to read as follows:

5. Hours Of Operation

The hours of operation are to be restricted to:

Day	Open	Close
Monday	12 Noon	10pm
Tuesday	12 Noon	10pm
Wednesday	12 Noon	10pm
Thursday	12 Noon	12 Midnight
Friday	12 Noon	12 Midnight
Saturday	12 Noon	12 Midnight
Sunday	12 Noon	10pm

Upon expiration of the permitted hours, all service (and entertainment) shall immediately cease, no patrons shall be permitted entry and all customers on the premises shall be required to leave within the following 30 minutes.

Reason: Information to ensure that amenity of the surrounding locality is maintained.

Overall, the proposed hours of operation are compatible with other commercial noise-generating activities within the immediate and wider locale.

Recommendation

The Panel note the submission.

No changes required to the recommendation or conditions contained in the assessment report.