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**Sent:** 28/02/2018 7:56:03 AM  
**Subject:** Online Submission

28/02/2018

MR Paul Apostolou  
31 / 10 Oaks AVE  
Dee Why NSW 2099

**RE: Mod2018/0034 - 874 Pittwater Road DEE WHY NSW 2099**

For reasons related to mine and my family's health and well-being, please reject this application to extend the hours of the gym:

The gym commenced operation in October 2014 and since then it feels as if we are living near a nightclub. From Monday to Fridays, the music has commenced at 5.15am, on Saturdays at 6.30am and Sundays at 8am. IT IS IMPOSSIBLE TO SLEEP ONCE THE GYM COMMENCES DUE TO THE LOUD MUSIC WHICH VIBRATES THROUGHOUT ALL THE ROOMS IN MY APARTMENT.

The loud music continues in the evening on Monday to Friday from 5.30pm to 8pm. There is no respite from the noise ON ANY DAY even though Council has been aware of this issue since October 2014.

Furthermore, in November to December 2017, the gym ILLEGALLY commenced its operations at 4.30am on Monday to Friday and it took Council 5 WEEKS to have the operator comply with its DA approved hours of operation. THIS IS UNACCEPTABLE MANAGEMENT FROM THE NORTHERN BEACHES COUNCIL.

Has the Council ever inspected the gym and observed the sound system it utilizes which is not the same as "...a small, domestic sound system..." described in the original DA in 2014? This type of sound system has no place in the midst of a residential area and Council should have taken action as soon as it received a complaint in 2014.

Good sleep is essential for our mental well-being. Disturbed sleep, resulting from loud music emanating from the gym, leaves me and my family feeling exhausted and irritable every day. Disturbed sleep is also associated with anxiety and depression, and may be a predictor for depression in adolescents. Is Council prepared to expose itself to this legal risk?