
From: DYPXCPWEB@northernbeaches.nsw.gov.au
Sent: 18/10/2022 5:08:02 PM
To: DA Submission Mailbox
Subject: Online Submission

18/10/2022

MR Tom Roche
77 Mona Vale RD
Mona Vale NSW 2103
[REDACTED]

RE: DA2022/1542 - 80 - 82 Mona Vale Road MONA VALE NSW 2103

Dear Phil,

Re DA2022/1542.

I object to the proposed extension to allow the club's car park to be used as a permanent bar/dining/music venue.

When the initial DA (DA2021/1724) was raised, I didn't anticipate the noise level that would be generated by the venue, and to support COVID operations on a temporary basis, did not make a submission. Having experienced how the area has operated, albeit for a short period, it's clear that the venue will have an unacceptable impact on neighbouring properties. During this operating period numerous complaints were raised regarding the noise level with the club, with varying outcomes. Sometimes music volume would be lowered other times not. I recorded noise readings in excess of 60 and sometimes 70 dB, using a sound meter app, from my property whilst the venue was open. This must be considered offensive noise per the POEO Act 1997. Having to close all external windows and doors during the summer months to dull the noise from the club is an unreasonable position for residents to be placed in.

From reading the DA and associated document it's unclear what type of music is planned, is it solely acoustic? Also, are the measures proposed to reduce noise levels new or were they in place and not followed previously? The existing outdoor pokie machine area appears to have a much higher glass balustrade than the 2m noise barrier for the DA area. Why isn't a similar height barrier required for this area? Doesn't the door in the noise barrier, with a gap at both top and bottom, allow noise to escape? Have any noise measurements been taken whilst the area is operating to validate the assumptions made in the acoustic report, in particular at receiver locations?

Operating an outdoor venue from 11am to 11pm on Friday, Saturday and Sunday in a residential area will generate an excessive noise level for the entire weekend for residents. These hours must be reviewed. It is wholly unreasonable for there to be no respite for the only time in the week most residents would not be working. This appears to be captured by the offensive noise definition in the POEO a) ii) "interferes unreasonably with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted". I'm not sure how the club can possibly control noise levels from 250 patrons with the existing noise barrier in an open space. What controls exist to ensure non-music noise levels will be reasonable?

If council approves permanent use what recourse do residents have when noise issues occur? Will it continue to be solely residents' responsibility to challenge this? Is there a mechanism to review consent should the proposed mitigants/controls be ineffective in reducing the noise impact from this DA.

Has council considered shorter term extensions that the club can renew subject to the area operating within any on-going DA conditions?

Regards,

Tom