
From: [REDACTED]
Sent: 24/10/2022 6:08:52 PM
To: Council Northernbeaches Mailbox
Subject: DA 2022/ 1542

Notice of Proposed Development – Against

The proposal of the outdoor dining area for the RSL cannot go ahead for the following reasons:

1. Noise: over the last 12 months the noise level especially Saturday and Sunday nights from 8pm when the kids are in bed has been extraordinary. We have rung the RSL on several occasions and they have stated that when the bands come they bring their own music and have been playing it above the max noise levels – meaning they have not been complying or managing this and breaking their interim application or rules. We have also called the police who have sent cars out on every occasion and you can tell when they have arrived as the noise has reduced from ½ to 2/3 meaning they have not been complying with minimum noise levels. Band levels are way too high, we cant even hear our own tv at times inside with the doors and windows closed.
2. Complaints: we have made several calls to the RSL and on every occasion they have said that they have received a tone of complaint calls too and they have adjusted the music. This means they HAVE NOT been complying to the temporary terms. Why are they waiting to receive a tone of calls to comply? The staff members on every occasion seemed upset that they have to face so many complaints and apologised so they know they have not been doing the right thing and that neighbours are effected.
3. Swearing and language: our children, parents, friends and ourselves have had serious issues with the swearing and language coming from the RSL patrons into our backyard. Every weekend the C and F words are heard all day so clear that you would think the people are sitting in our own back yard. The kids continually have been told to go inside when most parents are asking them to go outside to play these days. We have struggled having people over and just lying around in the back yard reading a book is anything but relaxing. Full conversations from people are so loud. I guess this would depend on which was the wind is blowing but needless to say it is happening often.
4. Fireworks: simply cannot happen so close to our homes, our pets and our kids. They went off with no notice to us and our whole street was out looking thinking we had just come under threat and someone was bombing or shooting near by. It was very scary for our families. This was inexcusable to be so reckless to local residents. When called they said they put it on their website or social media. This was the worst excuse ever. It just cannot happen so close to homes
5. Lack of dining: there is actually no restaurant in the area only a bar. This is not an outdoor dining area it is a beer garden. What exactly are they eating out there? We have seen no one eat food there. It is not dining. An outdoor dining DA is a complete cover up / lie.
6. Policy: this statement <https://www.smallbusiness.nsw.gov.au/sites/default/files/2019-08/Outdoor-dining-policy-guide.pdf> says that the approval can only occur if there are disruption to neighbours. Not being able to go to sleep because of the noise, not being able to have dinner parties and friends over and not being able to allow the kids to hand out in our back yard is the most significant disruption causing us a lot of stress. We have had to go to be wearing ear plugs on a number of occasions. My husband needs to fly out of the state early on Monday's and the last Sunday music doesn't allow him to be in bed sleeping at an early hour either. Number 5 of the requirements in this document says they need to avoid nuisance to neighbours. They clearly are not doing this by playing live music outside, it is simply too loud, the swearing is not controlled and never have we been asked for our feedback so we are unsure how a risk is being managed.
7. Unfairness to residents: the lack of fairness to residents is ridiculous. They have community signs up in the outdoor area but they do not care at all about the surrounding homes, just trying to get the young 20 -30 year old drinkers in. We absolutely loved going to the RSL with our family and friends, we used to go there weekly for food, our kids used to have their birthday parties there, our parents too. Now none of us go there. On occasion my husband might go there for an hour or two to see a friend but he leaves

because he says the outdoor area is cheap and nasty like a young persons drinking area. This is not a family environment either. I have asked the council if I can put a carport up out the front of my place, they said with the new rules it was highly unlikely. My neighbour also wants to do the same and there are many homes in my street with carports out the front of their place. We would ensure they were beautiful and wouldn't affect anyone else in the street. But no that doesn't happen. This business, that can trade inside, has dining inside, a huge auditorium and restaurants can trade inside like it did previously without disruption to us. There is no reason for them to trade outside, the covid impact on businesses is significantly reduced. My business is trading as normal and others can do the same. It shouldn't matter if 5 people protest against this or 100., the fact is that locals are affected, it feels like no one cares besides the police and it is a huge impact on the few of us that live so close to the RSL. We moved here knowing that there would be some noise but now they have changed their trading and we are significantly impacted. There needs to be equal fairness to residents and commercial businesses. They have broken the rules with the noise and know it, in fact they have told us. It has also been evident when the police turn up how much lower the noise, at times almost from unbearable to non existent

If this proceeds, our family may have no other choice than to move as we simply cannot live in our back yard as when we purchased the property 6 years ago. Therefore we may seek damages for the costs of moving which include stamp duty of a new premises, marketing and agent costs to sell the current property, removal fees and legal fees should we be given not choice.

Please retract my name and address and phone number on website and publication printing as I do not wish for any ramifications personally to myself, my children or my family. This information may be used in court proceedings, decision making and for the submission.

Warmly

