

**Tucker Faye**

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**From:** gemma parker  
**Sent:** 08 September 2016 18:58  
**To:** Licensing Mailbox  
**Subject:** Objection to planning application by 50 Derby Road (Amalfi White)

**Categories:** Faye

I have sent this previously but did not receive acknowledgement for the objection as neighbours have done. So I am sending the email again to ensure the objection is logged.

Please accept this email as a written objection to the notice of application for a variation of premises license at Amalfi White (50 Derby Road, Melbourne DE73 8FE), made by Mrs E H Devey Smith.

The variation to the premises licence for Amalfi White concerns me greatly, and I am making this objection based on the grounds of prevention of crime and disorder, prevention of harm to children, and prevention of public nuisance. As a resident living within 10 meters of the door of the restaurant and bar, we already have to deal with a lot of noise from (or in association to) the establishment within its current licensing agreement. This comes in a variety of ways, a few being;

Disco and live acts noise is excessive on evenings when they hold functions or special events, such as Weddings and Christmas party nights which run through December, to name but a few. The bass from the music can be felt and heard in my property and without the TV being turned up, the music would be audible to the point that I could sing along. This is compounded by the fact that we live in a conservation area and are restricted to only having single glazed windows on the front of our properties. I personally have double glazing at the back of my house which runs along side the alley and staff/back entrance to Amalfi, but this does little to help as it seems that they only have single glazed windows on the side and rear of their property (specifically the ballroom where the functions are held and music is played), therefore the noise still travels. I can even hear the conversations of guests who are standing by the windows in the upstairs ballroom when we are in the garden. That's how easily the noise travels. The DJs can also be loud and inconsiderate when leaving or packing up their vans in the street at the end of such events. With a bedroom at the front of my property, with single glazing, we inevitably have to then deal with the noise of this in the early hours of the morning. With more weddings being hosted on weekday evenings (specifically Thursdays and Fridays) in recent months, this has been (at least) a weekly cause of nuisance noise.

Currently, outside drinking in the large garden area isn't monitored heavily enough under the current license of ending at 10pm. When guests have been drinking, their noise level inevitably rises. My son's bedroom is at the back of the property, and overlooks the garden. So to go with the noise of the music, there is also the noise from the garden area to add to it. I sent a video to Mark at the licensing department at SDDC recently after meeting him in the street with the local police licensing enforcement officer, to show him that guests drinking outside in the garden was something that was already a problem after the set curfew, on the particular occasion, guests from a wedding were outside in the garden until 10:30pm at the earliest. I have myself been with friends at Amalfi White, and we have sat in the garden to see the time we were asked to leave. I walked straight out of the garden, through the bar, and to 46 Derby Road (Amalfi is 50 Derby Road) and it was 10:20pm when I arrived home. Regularly during the summer we have been unable to have the windows open in the evening due to the noise which prevented my son being able to get to sleep. He is 7 and has just started in year 3 at the local school. I am concerned as Christmas approaches that the party season will impact on him and his ability to sleep if amalfi are allowed to increase their drinking and entertainment hours.

Guest noise as they leave Amalfi White is incredibly inconsiderate. I appreciate that there is another pub across the road (The Alma), however, the noise largely comes from this side of the road, and again, because it is less than 10m from my house to their front door, it is very loud. They also hang around the door as they

wait for taxis and designated drivers to fetch their cars (as Amalfi White has no parking facilities) which can mean that groups congregate late at night. Because most have had a drink, their consideration levels are reduced as are their inhibitions with the language that is used. I am often woken up by people leaving the bar at night, or have to go to bed with the TV on in an attempt to drown out the infuriating inconsideration (and nuisance noise) shown to the fact that the bar is in a residential area, and there is no doorman employed to move people on or to encourage consideration. I have called 111 to report the noise when it has been bad, only to be told there is nothing that can be done, and that I would have to contact environmental health at SDDC to report the level of noise. I did do this.

Not only do we have to cope with noise directly from the establishment late at night, we also have to put up with the noise in the early mornings because of their waste collection service. At 6.45am on the Saturday that has just past (and regularly on Saturday mornings before 7am) Veolia, the waste disposal service Amalfi white hires, came to empty their bottle bins, so we get the noise at both end of the day and is becoming unbearable, day or night, we cannot escape it.

Based on current practice, the level of noise already, and the inevitable increase to the amount of entertainment and duration of drinking time that the applied change would entail, I believe that that current problems would only increase. The proprietor needs to appreciate that Amalfi White is in a residential area, not in a city centre. The increase to the length of drinking, and potential entertainment capabilities would virtually give the premises a similar vibe to a high end club, but in a village/small town locality, which I do not believe would be appropriate.

If this were to go ahead, I would indeed be re-contacting the SDDC environmental health department to begin a noise monitoring programme. I believe I am a sensible, level-headed resident in Melbourne, and appreciate that living near a bar and pub brings a degree of noise (especially when you factor in the conservation area issue as well). I am not someone who has ever wished to complain about the noise because of this. However, with the recent increase to the frequency of the events at Amalfi, I believe making such changes would go beyond what would be deemed acceptable, and what someone should be willing to "put up with". My house would be like a hotel suite in close proximity to the entertainment venue on a holiday resort, instead of a terraced cottage in the centre of a Melbourne. I know that neighbours have also said that they would consider moving because of it, which would be a huge shame that residents believe the only option they have is to move house as a means of achieving a peaceful home environment in the evenings and at weekends. None of the residents living in the cottages that run alongside Amalfi White have been approached regarding the changes to the license and we certainly do not welcome the changes that are being proposed

Yours sincerely  
Gemma Holden

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