

(we would like to have our personal information deleted for publication)

Dear Panellists

My name is [REDACTED], and my husband and I have lived at [REDACTED] since 1980. We have lived next [REDACTED] for 33 years and we are writing to you in response to their 'Save the Boatshed' Campaign, which can be found at their website ([www.theboatshedatworonora.com.au](http://www.theboatshedatworonora.com.au)) and on their Facebook page. Basically, they want to change the current zoning of E4 (Environmental Living) to the rather outrageous RE2, allowing for Marina, outdoor recreation, restaurants and cafes, hotel/motel, and public transport interchange. I use the word outrageous, because even though this is a residential area, the boatshed is already operating well beyond the scope for this area, and in turn compromising our use and enjoyment of our own property. But this isn't enough, they want to not just legitimise this, but then be allowed to increase the scope of the businesses run on the site, and increase the noise, business, hours, people and crowds.

"Save The Boatshed"?

First of all, we question the save the boatshed campaign they have launched to collect about 800+? signatures, both on facebook, at their website and at the boatshed itself. We really question the accuracy of calling it, 'save the boatshed' which we believe the reasonable person would assume means the LEP review was somehow going to determine whether the boatshed is allowed to exist or not, and thus needed 'saving'. This is obviously not the case. They have been operating for a while now (much to our dismay) well beyond the scope allowable in an E4 area, and want to get signatures to help them operate even further beyond what is acceptable in terms of noise and loss of privacy one expects in an E4 area. We feel using this emotive and deceptive title to frame the campaign, is both misleading to those who come across it, and does not reflect what it is they are trying to achieve. The boatshed is not in danger of closing down with any decision the LEP review team make, for them to imply that is pretty outrageous to us. In all of the the information you read about the campaign and what they want to do with the boatshed, its amazing to us they even though our houses are 2 meters apart, and the cafe tables are also 3 meters from our outdoor area, the fact that our use and enjoyment of our property has been severely compromised doesn't even seem to register to anyone, all they care about is expanding it further and further, ignoring why such developments are not allowed in residential areas, and that's the excessive noise, loss of privacy the neighbours, namely our property are forced to endure, while they make profit from our constant compromises.

Unauthorised Developments

Since we have lived here for 33 years, we have never had a problem with the Boatshed per se (as for the hiring of Boat), but the more recent opening of the cafe, has changed the use and enjoyment of our property in a substantial way. So much so, we don't like going outside and enjoying our view/property, as every single day of the year day (from 8.30am til 7pm, 7 days a week, including every holiday, except Christmas Day) we have a sizable group of strangers in what feeling like in our front yard, who can see us and who make a lot of noise.

When we moved here in 1980, Edith and Bill were the owners of the boatshed and they hired boats, and had a kiosk inside. Little did we know at the time that in 1975, the Boatshed applied to council for a Kiosk, and was knocked back, but they set it up anyhow. It is on the back of this unauthorised development, that the cafe came about many years later, and rather we would argue, surreptitiously. It was the previous owners, the Higgins, who set up the cafe several years ago, but they kept the tables inside and kept it small. Although there was obviously more business going on, the fact the people were inside meant the noise emanating from them was bearable, and we couldn't see them very well. When the current owners bought the place about 4 years ago, they extended the days open from 5 to 7 days a week, and opened earlier, and closed later, every day. (70 hours, and closer to 80 in the summer per week). Then they expanded the cafe, put more tables outside, so about 12 people were in clear view of us and vice versa, and the noise that accompanies that (this is on top of the the usual noise from the boatshed, of people arriving and getting boats).

The difference is, in the cafe these people remain seated and chat and don't move, which is a completely different noise from people hiring boatshed the previous use of the kiosk. which although is noisy, they arrive to leave. (With the cafe, they arrive to stay at a fixed point). They also put the cafe upstairs in the balcony of their residence seating 16 people just on the balcony, which is about 2 meters from our balcony, so during this time, we didn't use or liked to use either of our balconies, as there were always a bunch of strangers right there looking at us, and again the noise was terrible. They also were using part of their residence as a bed and breakfast, we noticed strangers from our windows coming in and out, and as our houses are very close together (2 meters apart, with all the windows looking into one another) we could see everything and hear everything.

Now both the balcony cafe and bed and breakfast have been shut down by council (after a complaint from the neighbours on their other side, who have lived there longer than we have and we know also can't stand the expansion of the business these current owners have forced upon us,) all without an application to council, and no input from their neighbours who have to bear the brunt of their excessive ambitions, which would be better suited to an area like Sutherland Industrial, than a residential area. We have complained to council about this (file ref 7771754225), and although the officer was a very nice man, he came only twice to see the boatshed,

both during the week and in the cooler months when its not that busy, and the two times he came saw no one once and then 4 another time, and based on this decided that or complaint was not sufficient to have the cafe removed.(An to be perfectly honest, he seemed more interested in what kind of food they served, his final words to us were, 'is it good, do they cook well?')

All we wanted was for the outdoor tables to be put inside, so we could use our outdoor area again,(like how it was when they bought the place) and not have to hear everyone's conversations.The officer said he would tell the owners, but when we had a conversation with the owners, they said he never said any such thing, and they also refused to move the disputed tables. The council also said they can't tell the difference between a kiosk and a cafe, when the distinction is a rather obvious one. A Kiosk is where one buys food to eat elsewhere,while a cafe is where one is seated and is served. It is precisely where they are seated, and the fact they remain there that we experience all the extra noise and loss of privacy, but the council sided with the business.

This is the part we don't understand. We are just ordinary residents living in an E4, environmental living area, they are the ones operating their business beyond what is deemed acceptable in these areas, and yet, we are the ones who constantly have to compromise how we use and enjoy our own property, and they don't have to compromise at all. They do what they want, no one's interested in our complaints, but that's not enough, they want to legitimise and expand further (mention of being able to put in a commercial kitchen). We would have thought that if they wanted to operate beyond the scope of what is allowed in residential areas, the onus should be on them to compromise their hours the the amount tables,the amount of people they host, their ambitions for further and further expansion. but that's not the case, the onus falls constantly on us to remain inside, and shut the windows. (And on a personal note, I don't think its an accident that in the time these new owners have been operating, I developed cancer and has a mastectomy, and my husband has had 3 strokes)

The truth is we feel we have been very hard done by - by both the council and the owners of the boatshed. All the changes that have made over the years, (mostly the cafe, but also the B and B) and been done incrementally, very slowly over years, so we would get use to it until all of a sudden we were living to what amounted to a 24/7 business that was always being used in one way or another. This was not what we moved next to 33 years ago, and now they want to change their zoning from E4 (environmental living) to RE2.(On a personal note, we are both elderly not well educated migrants who always trusted the boatshed would never do or operate their business without authority and permission to do so, in just the same way we use and enjoy our property. Part of the reason all these things have been allowed to go on, is because we liked and trusted all the previous owners. [Incidentally, this letter has had to be prepared with the help of our children as our English skills are not the best]) We really feel we have suffered enough and taken advantage of by the boatshed, and I'm sure lots of people love going there. Who wouldn't like to go to a quiet residential zone, with no competing businesses and live it up like its your own residence. Unfortunately, we have suffered greatly, and we don't see why the boatshed should be rewarded for operating unauthorised businesses in a residential area by allowing them to expand further

We humbly ask they the boatshed remain in current E4 environmental living zone that it is, and that no exception is made for these very nice, but extraordinarily ambitious people (We lived for decades with Edith and Bill, and then the Howlands who didn't have a cafe, but just the Boatshed, so its not like it can't be done)

Thank You for your time and giving us the opportunity to express our side of this issue

Yours faithfully

[Redacted signature]