
Sent: 19/11/2019 10:13:28 PM
Subject: Online Submission

19/11/2019

MR Patrick Barfield
5 / 32 John Parade - 45 East Esplanade ESP
Merewether NSW 2291
barfield@tpg.com.au

RE: DA2019/1234 - 0 Wharves And Jetties MANLY NSW 2095

There is a discrepancy with the number of additional El Camino patrons because the Description of Work on the DA form states 274 additional seats, yet the attached reports state 193 additional seats. The numbers in my objection are based on 193 additional seats and if there are intended to be an additional 274 seats in El Camino, then the Statement of Environmental effects, noise report, parking report, plan of management and other reports need to be resubmitted and re-assessed because they will be invalid.

My objections to this DA relate mainly to noise and antisocial behaviour as follows:

The noise assessment was written in August 2010 when the maximum permitted number of occupants were 300 (48 outdoor balcony) for Sake and 207 (45 outdoor balcony) for El Camino. The predicted noise levels were based on the original number of patrons, so an additional 164 Sake and 193 El Camino outdoor patrons (284% increase in total outdoor patrons) will significantly increase the noise levels. Therefore the acoustic assessment is invalid for this proposed development and needs to be completely re-done for the proposed numbers of patrons.

Part 9 of the Plan of Management states; "The use of the premises shall be controlled so that any emitted noise is at a level so as not to create an "offensive noise" as defined in the Protection of the Environment Operations Act 1997 to any affected receiver". Offensive noise means noise... "(a) that, by reason of its level, nature, character or quality, or the time at which it is made, or any other circumstances... (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." Adding an extra 357 seats just 50 metres in a direct line from my front balcony is going to result in considerable noise that will interfere unreasonably with nearby residents' comfort or repose. If the proprietor's Plan of Management cannot meet the legislative noise requirements, the council has no option but to refuse development consent.

Manly already has problems with inebriated patrons leaving entertainment venues late at night, creating noise and trouble in the streets. By adding another 357 patrons to the existing 507 (i.e. a 70% increase in patronage from both venues), this will result in increased alcohol-induced antisocial behaviour in the surrounding streets that will exacerbate the current problems. Without any increase in police funding, the level of unchecked antisocial and criminal behaviour will rise and the local residents, who are Council ratepayers, will suffer the consequences. It is incumbent on the Council to defend the interests of its citizens over the short-term gain of the landlord and two restaurant proprietors.

There are sufficient venues in Manly to cater for the demand, therefore I dispute the unsubstantiated assertion in the Statement of Environmental Effects Section 4.15(E) Public Interest "The proposal is not inconsistent with the public interest". On the contrary, the overwhelming view of local residents will show that the proposal is inconsistent with the public interest.