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MR Catherine Griffin  
67 - Stuart St ST  
Manly NSW 2095  
griffin.cathy@gmail.com

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

At least it's not another Burger Bar!

I do not support the application to increase the capacity of the two restaurants atop Manly Wharf.

This DA should not be approved until the NB Council implements a Night Time Economy DCP for the Manly CBD area.

**Over Intensification**

The Manly Wharf venues are already at capacity, and already having negative impacts on the amenity of the local area. An additional 400 seats, taking the top deck area of the Manly Wharf to 864 patrons plus staff will intensify the activity in the area to an unacceptable level. Currently large numbers patrons are forced to wait at the entry on the East Esplanade sides of the building, often moving to the grassy area, for long periods of time before being permitted to enter the venue. This means large groups congregate on the public footpath, blocking the pedestrian thoroughfare, smoking and drinking while they are waiting entry, which is controlled by security. As part of the Plan of Management to control numbers inside the venues this does not improve the amenity or manage behaviour outside in the public space.

Doubling the capacity will not improve this situation only exacerbate the existing problems, noise, nuisance, and lack of amenity.

**Pissing in the wind. Start planting lemon trees.**

There will be no concomitant increase in the public amenities in the vicinity of the Manly Wharf. The public toilet currently available and managed by the Manly Wharf Management in the lower carpark of the Manly Wharf is woefully inadequate for the existing patronage let alone an additional 400 people as well as those intending to gather in the park along East or West Esplanade or alighting from the ferry. This toilet is regularly out of commission and generally considered unsafe by most young people after dark.

Public urination in and around the Wharf is already at epidemic levels. The pedestrian corridor along the rear of the Wharf at the entry to the premises already stinks. Council should condition the applicant to plant lemon trees in the area.

**Traffic chaos**

Irrespective of the very detailed parking assessment, it should be noted that very few of the intended patrons of these 'restaurants' would drive to Manly and require parking. The most likely mode of transport to and from the Wharf is via Uber or other rideshare companies. (The ferries are intermittent after 7pm and finish at midnight) Currently there is no safe vehicle drop off or pick up location at the Manly Wharf. The Wharf is a transport hub with bus stops in front

of and on both sides of the Wharf, which precludes the safe parking for ride share vehicles.

Regular Eastern Hill drivers who travel via East Esplanade or return home turning left into East Esplanade from Belgrave St anytime after 10pm will attest to the chaos created by pedestrians dashing across the road ignoring the traffic lights or standing in the middle of the road to hail the sudden stopping or u turning Uber vehicles coming to pick up passengers. Allowing another 400 patrons on top of the Wharf will require traffic cops and road closures to prevent accidents.

Tossers, all of them

Increasing the numbers by 400 patrons will also increase the litter in the immediate vicinity; cigarette butts in particular, takeaway food wrappers (remember all those burger bars) and bottles.

Joke of a Plan of Management and Noise complaint system.

The 'Noise Report'. Seriously? Predicted noise levels are all within recommended levels and provided acoustic treatment in Section 8 are implemented then the external noise emissions will comply with all requirements. And these acoustics treatments?

"Penetrations in ceilings (such as for light fittings etc.) must be sealed gap free with a flexible sealant. Any ventilation openings in the ceilings would need to be acoustically treated to maintain the acoustic performance of the ceiling construction.

- It is recommended that the management keep a complaint register on site and that noise complaints are registered and what course of remedial action has been taken. This register should be stored on site and be accessible at all times.
- Prominent notices shall be placed within Restaurants to remind patrons that a minimum amount of noise is to be generated at all times.
- All garbage shall be retained within the premises and removed after 7am on the following day.
- Management controls should be utilised to manage patron departure particularly at night and at closing times to ensure that patrons leaving development in a prompt and orderly manner"

The proposed noise complaints procedure is a joke. Firstly the Manager on the premises has a conflict of interest. Identifying which, premises on the wharf is making the noise will be challenging. They are all contributing to the noise at the same time! It is cumulative! Oh, and noise travels and is known to amplify over a body of water.

Assuming a resident wants to make a complaint and get the 'noise turned down', navigating entry via the door security dudes to speak to the manager to make and record such a complaint is one of the biggest barriers to actually having the issue addressed. Satisfying the immediate needs of 600 paying patron versus the interests of 'a few anonymous' residents is unlikely to resolve the noise complaint in the first instance. Noise from the venues on the wharf is insidious, already noise from the existing premises remains unresolved and to increase the volume and add to the mix the music and patron noise from two venues that accommodate 864 with half those outdoors is an unacceptable impost on the amenity of the local area. Residents should not be required to leave their homes and go to the premises, find the managers of the several venues and ask that the noise be turned down, or negotiate it to an appropriate level, only to return home for the volume to be turned up again. Similarly, calling the police is a waste of public resources and immediate relief is unlikely to be forthcoming.

The onus to 'keep the noise down' should not be on residents. And if a Monday in August 2010 is the base line for ambient noise then there is no way an additional 400 people in the open air atop the Manly Wharf will come close to complying with the recommended noise levels.