

# N.C. COOMBES & CO

Solicitors & Attorneys

A.B.N. 94 214 842 023

NICHOLAS C. COOMBES LL.B.  
OUR REF: 25001  
YOUR REF:

293 VICTORIA ROAD MARRICKVILLE 2204  
PO BOX 351 MARRICKVILLE NSW 1475

EMAIL: [evan@nccoombesandco.com.au](mailto:evan@nccoombesandco.com.au)  
PHONE: (02) 9560 3666  
FACSIMILE: (02) 9569 9421

15 April 2020

BY EMAIL

Penny Wood  
Northern Beaches Council  
PO Box 82  
MANLY NSW 2095

Dear Madam,

RE: DA2019/1535  
PREMISES: GROUND FLOOR SHOP 11 THE CORSO MANLY

We refer to the above matter and make the following representations on behalf of the applicant in respect to the submission by NSW Police Northern Beaches Police Area Command Licensing Unit (hereinafter 'the Police') dated 26 March 2020:

1. Item 4.1 of the submission notes there are 170 licensed premises within the suburb of Manly. Liquor licence data provided by Liquor & Gaming NSW indicates that as of April 2020 there were 131 liquor licences with a current status in Manly. (Source: Liquor & Gaming NSW)
2. Two of the reasons submitted by the Police that the Application should be refused are:
  - ***Additional liquor outlets (irrespective of the licence type) do increase alcohol related crime, and this application is no different.***
  - ***Additional liquor outlets (irrespective of the licence type) do increase disturbance complaints and negative impacts on neighbourhood amenity (such as litter).***

In respect of the reasons above, the following are noted:

- a) Data from Liquor and Gaming NSW indicates that in Manly the number of liquor licences with a current status has increased from 114 on 1 January 2017 to 122 on 18 January 2018, 127 on 6 January 2019 and to 131 in April 2020. (Source: Liquor & Gaming NSW - Karoline Trajkovski, Senior Project Officer | Business Intelligence)

Data from the NSW Bureau of Crime and Statistics and Research indicates that in Manly the number of alcohol related offence/violence (comprising domestic violence related assault, non-domestic violence related assault, offensive conduct and offensive language) incidents in the 2016 calendar year was 352, in 2017 calendar year was 311, in 2018 calendar year was 277 and in 2019 calendar year decreased to 227. (Source: NSW Bureau of Crime Statistics and Research)

- b) Sake & El Camino Cantina Manly were recently granted development consent and liquor licences at Shops 101 and 102, Level 1 Manly Wharf Shopping Centre. The capacity of these premises combined exceeds 500 patrons and the hours of operation permit trading late into the evening on weekends.

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- c) Winona Wine was recently granted a liquor licence at Shop 9, 2-14 Pittwater Road Manly, despite the presence of bottle shops throughout Manly and nearby suburbs.
  - d) Cumberland was recently granted development consent and a liquor licence at 1, 17-19 Central Avenue Manly. The premises is located in close proximity to residential premises, has liquor trading hours (per ILGA decision) 10.00am - 12.00am Monday to Thursday, 10.00am - 1.00am on Friday and Saturdays and 10.00am - 10.00pm on Sunday with a capacity of 75 patrons. The decision dated 3 September 2019 by the Independent Liquor and Gaming Authority to grant the application a liquor licence states that Northern Beaches Licensing Police did not object to the application for the licence by Cumberland.
  - e) Manly Backpackers (now Stoke Beach House) was recently granted a liquor licence at 24-28 Raglan Street Manly and accommodates a considerable number of patrons at any one time (36 rooms with multiple patrons in each room).
  - f) The applicant is proposing a unique concept of a mixed-use premises with a dedicated independent local bookstore during the day (none currently exists on The Corso) and a small bar during the evening with trading hours 5.00pm to 12.00am and a relatively small capacity of 52 patrons.
3. This office advised the Police in writing on 29 January 2020 that the proposed business will not rely on external/independent outlets for the provision of food. Further, the nature and extent of food available will not merely be bar snacks, meals shall be prepared on the premises and available during trading hours. There is no requirement that a small bar licence include a commercial kitchen nor is a commercial kitchen necessary to provide food of a nature consistent with the responsible sale, supply and service of alcohol. Small bar licences, and in fact hotel licences, have been granted by the Independent Liquor and Gaming Authority to premises that do not have commercial kitchens. If necessary a proposed list of food to be available can be provided.
4. The fact that Manly at present has a number of licensed premises, is not in and of itself a reason to refuse the application. These businesses contribute to the local economy and amenity of the Manly area for both domestic and international visitors and local residents and attract such persons to Manly. Considering clause 6.11 of the Manly LEP 2013 ('Active Street Frontages') and the novel mixed-use proposed for trading during both the day and evening we expect the Council would be amenable to such a proposal at a time when there is an increasing number of vacant premises on The Corso and throughout Manly.

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We acknowledge that alcohol related crime is an ongoing issue in Manly, the Northern Beaches Local Government area and wider society. However we submit the Police have not provided cogent reasons for objecting to the application being granted. Contrary to comments by the Police the applicant has completed a careful and detailed consideration of the local impact of operating this type of premises in Manly.

We request the application be granted with the conditions proposed by the Police.

If the Council wishes to discuss the application further we would be pleased to discuss in person.

Yours faithfully,  
N.C. COOMBES & CO.



Per;