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Subject: Online Submission

29/04/2021

MR Paul Hannan
101 / 46 Victoria PDE
Manly NSW 2095
paul.hannan@pendalgroup.com

RE: DA2021/0318 - 14 South Steyne MANLY NSW 2095

For the attention of Penny Wood...

DA2021/0318

We refer to the above DA and offer the following perspectives and amendments for your consideration to make the proposal more balanced and liveable for us as the neighbours in #46 Victoria road.

We own unit number 101 which is on the first floor of #46 and will be significantly impacted by proposed changes to the rear at Dungowan lane...

Firstly we agree that the proposal is an improvement in the offering that is currently on offer at the premises and appreciate the money that is being invested into mechanical plant with noise and visual suppressants. We have already made a number of submissions to council in this regard and to improve the visual amenity of Dungowan Lane...

However the plans submitted do not take into consideration that our balconies and living room is 4 metres from the proposed new extension to the rear of the property...

I make the following points and recommendations:

1. The proposal is 9.5m² above the maximum permissible FSR...normally this wouldn't bother me, but combine this with the proposed new stairwell at the back of the development and it is clear that the developer is maximising the internal space for seating capacity and disregard of neighbours... The premises has been turned into a 120 seat restaurant which will involve considerable movements at the rear of the property of both staff, deliveries and waste removal... it is not appropriate that the development be above the allowable FSR and have the external stairwell... I proposed that the stairwell be redesigned to be completely internalised in the existing walls of the current building. This way the 9.5m² incremental FSR is used partially for the stairwell... Normally a multi story restaurant of this size would have an internal lift for deliveries of supplies / staff movements and waste removal... It is completely unacceptable to us as neighbours only 4 metres away to have these movements, light and sound imposed on us... the only acceptable outcome is for the stairs or a lift to be completely internal to the current building form. Can u imagine the noise at 11pm at night when staff are dragging empty bottles and cans down the metal stairs to the proposed bin site below.
2. The proposed stairwell is far from fully enclosed. The proposed 3.6metre wall is far from adequate... each proposed stair riser is about 20cm... and the way that the proposed stairwell returns around before the upper screen starts means that we will see all movements starting with people's heads on tread 10 (for a 160cm person) and nearly see them all as they move

up treads 11 to 15... there is no light and sound protection offered for this... it is a metal stairwell and it is usual PPE for kitchen staff to have steel capped heavy boots , the noise will be significant as will light for nighttime usage... the only way to appropriately eliminate this is to have the stairwell completely internalised as in point 1...

3. The bin storage area looks considerably undersized for a restaurant of that size... the current area is nearly dedicated to bins for the existing smaller restaurants so it seems in feasible that a significantly smaller area as proposed by DA0318 could be adequate for a much expanded seating capacity restaurant. We need assurances of adequate capacity of bin storage. The external staircase has dramatically reduced the bin storage area and the ... the only way to rectify this is internalise the stairwell and create the rear area as a proper sized bin storage.

4. Sign #1 is in the Dungowan side of the building and serves no real purpose and creates significant visual imposition to our unit... It is exactly at eye level of our balcony and will be seen from our master bedroom which looks through our balcony. It is proposed that the sign be illuminated. I note in the section 4.5 of the SOE for Signage point 7 Illumination ... the criteria asks " Would illumination detract from the amenity of any residence or any other form of accomodation?" This is the only question that has not been answered in that section... I think that is acknowledgement that even the developer knows that it detracts from our amenity. So the answer is yes it does detract from our amenity. The SOE says the light is not subject to a curfew , so it can be on all night... this would significantly detract from our amenity whilst on our balcony or in our dining room or master bedroom. Our eyes at night would be drawn to the light rather than the glimmer of the ocean or the manly foreshore... I propose that Sign #1 and the light is deleted. The building has considerable other signage and sign #2 facing Victoria road offers adequate signage for people travelling east along Victoria parade... there is no need for Sign #1 and it is a significant visual detraction to our unit.

5. The proposed Window WD10 is currently a vacant archway... we do not oppose it being internalised and used... We propose Window 10 be deleted and the arch fully infilled. The archway is actually inconsistent with the other form of the building and this area would look considerably better if it was closed in... the more significant reason to close it in is that it is a window directly into a downstairs kitchen operation. From our balcony and bedroom we will be able to see light, movement and noise will be transmittable through it... We propose that this be fully enclosed, rendered and painted the same colour as proposed for the rest of the wall... there is still significant natural lighting coming into the building in that area of the kitchen from the significant WD09... WD10 does not exist at the moment and approval of this kitchen window would only be at the detriment of residents in Unit#46 in noise , light and movement.

6. We notice there is a pizza oven proposed in the restaurant. We would like to confirm that this is gas fired only as a wood fired oven would considerably contribute to smell emissions from the restaurant. We request that this be made a condition of any approval..

7. The Acoustical report make specific recommendations in section 5.5 for the mechanical plant screen and external screens... We propose that council impose this as a condition on the development.

8. We note that windows WD17 and WD18 service the upstairs kitchen. We propose that these be non openable windows... if the windows were to be openable they are directly at some of the noisiest parts of the kitchen and will emit noise and smell... We propose these be non openable.

Thank you for your consideration of these matters... We as owners at #46 have just invested a considerable amount in new apartments... We do not oppose the beautification and improvement of the area... But the use of a external stairwell to direct all staff/ deliveries / waste is not appropriate as it will significantly visually and audibly affect our apartments... We ask you to consider this in light of the fact the proposal is above the FSR and this significantly accentuates that... so we ask you to eliminate the issues we have with noise / sound and movement and request this part of the development be fully enclosed in the existing walls.

Best regards.

Paul Hannan
Owner Unit 101/ 46 Victoria Parade.