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Subject: Online Submission

09/07/2021

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RE: Mod2021/0314 - 0 Wharves And Jetties MANLY NSW 2095

Note: Office letter on letterhead sent direct to Council.
To: Northern Beaches Council
8 July 2021

MOD2021-0314
HUGO'S Restaurant, Manly Wharf

Application to modify DA/2020/0962 to permit an extended outdoor deck to the north and north west, on 10 new piles, to increase seating from 64 to a total of 80 people

SUBMISSION

Greater Manly Residents Forum object to the proposed modification to permit extended outdoor deck of Hugos Restaurant, Manly Wharf. Reasons for our objection are:

The increase in size of the deck area of the restaurant across the public boardwalk further encroaching on this public walkway and taking away more public space.

The area currently is used by the public to relax and for recreation to see marine life and the view across the harbour.

The boardwalk is a popular area for public access to the ferry and encouement on this are would force more foot traffic to the general entrance which, in these times of Covid, would cause crowds to be in closer proximity to each other than they currently are.

The boardwalk is only viewpoint the west across the Harbour and Manly Beach.

Hugo's currently seem to have taken additional public space by placement of large pot plants to obstruct the public walking in this area. This IS CURRENTLY A PUBLIC SPACE and MUST BE MAINTAINED AS SUCH.

The deck to be expanded was originally, only a few years ago, a public space and pedestrian walkway.

The proposal is not consistent with planning requirements / guidelines:

- To ensure public access is retained around the perimeter of the wharf.
- To consider public access and views in relation to this modification.

In the Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

4.2 General Requirements include:

- public access to waterways and public land is maintained and enhanced;

This proposal does not satisfy this requirement.

Sydney Harbour Foreshores and Waterways Development Control Plan 2005

Division 2 - Matters for consideration

CI 21 - Biodiversity, ecology and environment protection

CI 22 - Public access to, and use of, foreshores and waterways

CI 26 - Maintenance, protection and enhancement of views

CI 21- The proposed modification to extend the outdoor restaurant will increase the environmental risks and impacts associated with the construction and operational phases. Avoidance of impacts is preferable to mitigation measures.

CI 22 - The proposed extension of the upper deck would overlap the public area on the lower deck. The Application states: "The planter box had made this area of the deck generally inaccessible to the public and there is no loss of accessible public space as a result." The large planter box is an unnecessary obstruction that could be removed to restore public access in this area of the deck.

The focus of the proposal is on expanding the deck area of the outdoor restaurant. However, the impact on the public use associated with the boardwalk is not adequately considered. Manly Wharf attracts thousands of visitors and residents throughout the year and it is important that the public use of the boardwalk is taken into account and given due weight.

CI 26 The proposed extension of the outdoor deck to north west will not protect or enhance views from the public boardwalk.

In relation to the previous application, this was approved subject to a condition incorporating several amendments, including:

- No new piles are permitted.
- The removal of the northern extension of the existing outdoor seating area.
- Deletion of all proposed planter boxes.

This modification seeks to remove the condition and replace the above amendments as follows:

- The addition of 10 new piles.
- Extension of the deck to the north and north west.
- A single planter box on the lower deck to be removed.

The proposed amendments seek to reinstate aspects that were rejected as part of the previous application. These aspects were rejected on reasonable grounds and provide further justification for refusing the proposed modification.

On the above basis Greater Manly Residents Forum strongly objects to the proposal.

Yours sincerely,

Denise Keen

Chair

Greater Manly Residents Forum

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