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To: DA Submission Mailbox
Subject: Online Submission

13/05/2023

MR Ray stone
704 / 9 - 15 central AVE
MANLY NSW 2095
[REDACTED]

RE: DA2023/0368 - 9 - 15 Central Avenue MANLY NSW 2095

Preamble .

Please note that 704 Pacific Waves is my full time residence .I and approx 50 residential units have bedrooms facing the commercial courtyard. Pacific Waves(SP61139) is a residential block of 124 individual apartments and abuts the commercial strata(SP 61679) that is the subject of this DA. Noise from patrons of In Situ impacts directly on the residents of Pacific Waves that face the south and west (approx 50% of the total residents). The noise levels impacting on the residents has been increasing over the past 5 years not only from the subject property but from the Hotel Steyne and the adjacent GuardianChild Care centre . It is submitted that the impact on noise levels should be considered in aggregate and not just in relation to this DA.

It is further submitted that this DA should not be allowed to proceed in its current format due to the following :-

1. SANITARY. The toilet facilities are totally inadequate and do not meet Environmental Health Regulations.. There is a total of 4 toilet cubicles ,2 urinals and one disabled toilet to cater for 4 restaurants ,(being In Situ , The Hold , Ground Zero , Fat Joes Pizza Joint plus ALL the commercial businesses located in Sydney Road and Central Ave and their customers . Each individual restaurant in their DA has claimed exclusive use of these toilet facilities whereas they are shared. Waiting times for use of these facilities at peak time often exceeds 30 minutes.
2. In Situ and the other restaurants now have approval to seat an additional 93 patrons on council property in Sydney Road , adding to the usage of toilet facilities and appear to be requesting to seat 100 patrons in the courtyard . Current approval is for 100 patrons in aggregate between the internal area and the courtyard thus increasing overall numbers and noise.
3. The applicants Acoustic report indicates that the applicant desires to have outdoor music in the courtyard - this is a further intrusion on residents and should be refused. There should be no music in the courtyard to intrude on the quiet enjoyment of the residents homes.
4. The DA seeks construction of a new service area in the courtyard for the sale of alcohol leading to increased consumption and stand up groups of patrons developing which will lead to increased noise .
5. The DA proposes to remove many of the exiting shrubs , trees and plants on the boundary between the Commercial Strata and the Residential Strata . This will adversely impact on the amenity of the area , reduce the green effect and has the potential to increase noise.
- 6 . Any rearrangement of existing pergolas should take into consideration reducing the impact of noise transfer from In Situ to the residents of Pacific Waves and there should be acoustic modelling of the options to ensure that no noise is audible to residents of Pacific Waves in

accordance with the Protection of the Environment Operations Act. Awnings should be permanent and fully enclose the whole of the outdoor area.

7 . No increase in operating hours beyond 10 pm should be contemplated.

8 A Plan Of management should be formalised and submitted for review before any DA is considered. This is to ensure there is no ambiguity as to the obligations of the operators of In Situ.

Yours,

Ray Stone

704

Pacific Waves