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**Sent:** 19/01/2021 9:08:45 AM  
**Subject:** Online Submission

19/01/2021

MR Douglas Carruthers  
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**RE: DA2020/1027 - 0 Stuart Street MANLY NSW 2095**

We live in Stuart Street, directly opposite the cafe. The cafe is situated in a residential area. In March 2010 Manly Council gave approval for the then lessee to extend his operating hours into the evenings. The lessee at that time, although getting approval to operate four nights per week during summer (two of these nights being to 9.00pm only), used the approval sparingly, and on the occasions that he opened for evening meals was very conscious of any potential noise disturbing local residents. The approval also allowed for extended hours of operation during the winter months, but only for two nights per week to 9.00pm and was rarely, if ever, used.

We are disturbed to see the current DA is now proposing a further extension of the trading hours to those approved by Manly Council in March 2010.

A condition of the March 2010 approval was -

The serving of meals is to cease thirty (30) minutes prior to closing time on each day and the premises are to be fully vacated outside these times (including patrons, staff and operator/manager).

The current proposal has no differentiation between summer and winter operating hours and is for a commercial operation more suited to the Manly CBD and not the community-based local cafe that it has been up to now.

**Conclusion**

The hours of operation approved by Manly Council in March 2010 were approved for the operation of a small community-based cafe and, after approval, were used sparingly.

The current lessee has a chain of commercial restaurants and would, therefore, expect to use the hours approved to the full. As such, we strongly object to the hours of operation as approval in March 2010 being extended in any way, and ideally would like to see them reduced. In addition, any approval of hours of operation should contain the condition stated in the March 2010 approval, i.e.

The serving of meals is to cease thirty (30) minutes prior to closing time on each day and the premises are to be fully vacated outside these times (including patrons, staff and operator/manager).

Little Manly has increasingly become a very popular venue. Adding a commercial operation to this area that will be operating into evening hours will increase after-hours disturbance to local

residents.

Doug and Lee Carruthers