

14 March, 2009

Henry Wong
General Manager
Manly Council
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MANLY NSW 1655

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Re: Concerns regarding Environmental Impact issues relating to DA279/03, DA25/2009 & DA26/2009 – Bathers Pavillion

Dear Mr Wong,

We are writing to you to make known our serious concerns about the environmental impact issues of the DA's relating to the redevelopment of the former Manly Pier Restaurant at the 'Bathers Pavillion' site, just off Commonwealth Parade in Manly (DA numbers are listed above).

Our main concerns are as follows:-

- An increase in late night noise in the nearby streets of the Tower Hill/Fairlight areas from more late night revellers walking home or walking to their cars parked in the area.
- More evening parking problems for local residents near their properties (parking restrictions and the resident parking scheme may have to be extended to 24hrs/7 days a week, if it hasn't already, to improve things). 500 potential patrons could bring another 200+ cars to the area in the evenings and on weekends. Where will they park?
- As Manly already has a serious problem with late night drinking issues, why is this now to be made worse with the addition of another huge pub in this residential area? Also, although the current DA's have a late night limit of 12 midnight, what's to stop a late night extension being applied for and approved sometime in the future?
- With regard to the development itself, this appears to be a large and busy open restaurant/pub (for up to 500 patrons) to be built alongside what is essentially a quiet residential area, very close to apartments and residences. Easily within earshot. It was previously a quiet, mostly enclosed, restaurant and private function venue. It is inaccurate to suggest that the majority of patrons will be inside this pub most of the time. You only have to look at how popular the outdoor areas of the Manly Wharf Hotel are in fine weather to see that most patrons will want to sit or stand in any outside areas. DA26/09 evidently increases the outside area of the level 2 balcony by around 4 times, compared to the previous balcony area.
- There appears to be a change of use proposed in the information we have seen regarding the most recent DA's with mention of 'refreshment rooms' becoming 'entertainment' areas. This suggests the possibility of loud music – either live bands or a DJ – which raises further concerns about night time noise issues.

- There is an open public boardwalk/walkway below, around the perimeter of the building and beneath the upper storey pub balcony. What will protect walkers below from cigarette butts, or even bottles and glasses, falling from above?
- At least three fragile penguin nests immediately adjacent to the pub are very likely to be disturbed by the increased noise and people traffic caused by this development. These penguin nests have been carefully guarded and protected by volunteers for many years and it would be a tragedy if they were to disappear.
- **Most importantly, why has this series of DA's been kept so quiet from local residents for so long and how come the venue is nearly completely built before this has all come to light?**
- **And, how can this development possibly be of benefit to the nearby *ratepaying* residents who will suffer almost nightly from it's existence in the currently proposed form?**

These new DA's (No25/09 & 26/09) must not be allowed to proceed and we therefore request that Manly Council reject them in their entirety.

We look forward to hearing more about this from Council.

Yours sincerely,



Tim & Victoria Batt