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**Sent:** 8/12/2019 8:27:59 PM  
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08/12/2019

MR Nigel Smith  
18 / 37 - 38 East Esplanade ESP  
Manly NSW 2095  
Nigel.hub@gmail.com

**RE: DA2019/1234 - 0 Wharves And Jetties MANLY NSW 2095**

I object in the strongest terms to the submitted DA2019/1234

The Wharf is a heritage building. How can any heritage assessment conclude that the Mexican Bar (supposed restaurant) El Camino is in any way in keeping with the original designers proposed vision (Arthur Baldwinson) of the Wharf? As of 11 April 2001, the wharf was considered to be of 'environmental significance as a visually prominent, man-made feature; and of historical significance for its associations with the maritime activities at Manly. The proposed designs for El Camino and Sake do not reflect the historical significance of the building, in any way, nor represent the maritime activities of the immediate surrounding location. It is destroying the ambiance of the building for commercial purposes.

There has seemingly been no consideration made of the noise impact and change of ambiance on Manly Cove and the Eastern end of the promenade which is an area frequented until early evening by families. There has also been no consideration of local residents regarding the proposed lighting pollution in the plans (coloured string lighting over the whole roof top, directed garden lights, directed spot lights and under counter LED lighting). The outside side area of the Wharf Bar below has no outside lighting to disturb the residential residents of East Esplanade.

Many of the units in Capricorn will lose their privacy by patrons looking directly into, or down on the balconies.

In addition I question the legal compliance of the submitted DA in light of the 2013 the Land and Environment Court NSW ruling that the roof areas in the proposed in DA2019/1234 as outdoor seating would not be permitted to any development (see points 51, 52 & 53 in case ruling - link below)

TMG Developments Pty Limited v Manly Council [2013] NSWLEC 1099 [Decision Date 31/05/2013]

<https://www.caselaw.nsw.gov.au/decision/54a63a733004de94513dac29>

If you lose your heritage you lose your soul. Don't let Manly suffer. Manly survives 12 months of the year due to locals, not just from tourists in the busy months and self-interest from a few non locally owned businesses.

Please reject this DA application.