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**From:** DYPXCPWEB@northernbeaches.nsw.gov.au  
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24/11/2021

MR Constantine Nicola  
604 / 180 Ocean ST  
Edgecliff NSW 2021

**RE: DA2021/2065 - 0 Market Lane MANLY NSW 2095**

17 November 2021

RE: DA2021/2065 - Market Lane Manly 2095

We herewith lodge our absolute objection to the above DA on the following grounds:

- It was our tenants in the Jipang Japanese Restaurant and later the Marketlane Café that opened up the first Café in 2012 and since, Market Lane has organically been reinvented from an underutilized public space into the commanding dining precinct it is today.
- Since the appallingly fencing went up in Market Lane earlier this year for the pop up wine bar it decimated the ambiance of the open space in this area whilst being an absolute eyesore totally dominating the entire public open space.
- To exacerbate the above point Council proposes to replace the existing bike racks that encourage a healthy lifestyle with bin storage areas outside of the boundaries of the pop up wine bar which will immediately impact poorly on the well-established businesses (why would customers want to enjoy a meal located next to a bin) and the quiet enjoyment of the patrons.
- It has been my experience whilst visiting the area in the early morning that rubbish / litter has been left within the fenced off area leaving the early morning cafés to deal with the issues of overnight public littering and it's health and hygiene consequences.
- That the Manly CBD has issues with alcohol related problems is well documented. How does consenting to this DA alleviate the problem, rather it can only inflate the problem.
- Further to the above point when drunken patrons leave the licensed area in the darkness there will invariably be damage to adjoining buildings i.e. glass shop fronts etc. The operator states they will advise patrons to leave the premises quickly and quietly but how does the operator plan on dealing with the nuisance and damage to the nearby businesses especially those that don't open at night except to advise the patrons?
- The applicant proposes Live music and whilst the SEE advises it will not cause a disturbance to the residential accommodation, the SEE does not mention the impact it will have upon the quiet enjoyment for the patrons of the current businesses operating in Market Lane?
- How does this DA encourage the greater usage of the library and who will be responsible for cleaning up the mess left in its toilets as well as paying for the consumables?
- There is currently a good mix of businesses operating in the vicinity including office spaces, retail, cafés and drinks businesses. If canvassed I am confident that none of the businesses would agree that they have benefited from this pop-up bar over the course of this year.

- The landlords and businesses in the area have had to suffer the pain and suffering caused by the COVID-19 pandemic over the past 2 years, yet Council has chosen to directly cause more pain and suffering upon the landlords, businesses, patrons and the youth if they approve this DA. This DA promotes:

\*the denigration and misuse of open public space -and amenities

\*Promotes alcohol consumption & noise pollution.

\*Proposes to install garbage bins in place of bike racks.

- With the above in mind the livelihoods of small businesses and landlords will be adversely impacted if this DA is approved.

- Surely this most important public space can be better utilized by promoting family friendly uses i.e. play area for children which will encourage families to spend more time in the precinct and the library whilst supporting the local businesses by shopping and dining there.

Yours sincerely,  
HENROTH GROUP

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