
From: David Colman
Sent: 28/10/2024 4:17:26 PM
To: Council Northernbeaches Mailbox
Subject: TRIMMED: Attention Development Assessment; objection to proposed development - DA2024/1249. Manly Wharf

Northern Beaches Council
Attention: Development Assessment Team
28 October 2024

Dear Development Assessment Team,

Re: Application DA2024/1249; Lot 1 DP 1170245 Manly Wharf Retail East Esplanade MANLY

I object to this development. I am an owner/occupier at 40 East Esplanade, directly opposite.

One of the three matters for your consideration is whether there is an *'issue raised in written submissions.'* This objection addresses the applicant's written submissions.

The applicant's **Social Impact Assessment** (24-008) rightly observes *'The site is in an area of relatively high incidental crime around the existing Manly Wharf ... which is primarily a result of urban geography ...'* I note:

1. that 'urban geography' includes the demographic of patrons attracted by a 'Pub' such as this one – namely generally younger people intending to consume alcohol in an environment that encourages it;
2. the (already 'relatively high') crime rate will likely increase, drawn by another 'pub', especially an on-trend brew-pub in an accessible, convenient and prized location;
3. the Assessment does not take account of the noise, and neighbourhood disturbance, created by patrons *leaving* the venue late at night – both of which are considerable, and go long into the night after closing time, principally because patrons 'are in the mood' with friends, have accumulated 'momentum' and (the last ferry having departed by or shortly after closing time) there is nowhere else to go;
4. such disturbance is intangible because it generally does not end up as a reported crime, which skews any social impact assessment that concentrates exclusively on 'crime' rates rather than neighbourhood 'experience' – as does this one. From a close vantage point I have observed groups of people in Wentworth Street on leaving Wharf venues yelling at each other – generally having fun but occasionally threateningly – for over an hour and very late at night; and this happens very regularly;
5. the Assessment opines that the (inevitably increased) *'risk can be managed in a predicable way'*, but (as far as the surrounding neighbourhood is concerned) that would entail patrols on the streets after closing time, and that is neither feasible or suggested. The 'patrols' that the Assessment does refer to are limited to 'cleaning' patrols, and only in the Wharf itself and not the surrounding streets or neighbourhood areas;

6. having regard to (1) to (5), it is evident the applicant is intent only on supervising its patrons whilst under its care, but unconcerned as to what happens on their discharge onto the streets at 1.00 am two or three nights a week (and midnight the rest); the applicant's only real contribution to ameliorating that disturbance is '*signs [to] be displayed at all exits reminding patrons to be mindful of noise when leaving the premise*' – see the Acoustic Assessment at 6.4;
7. the Assessment notes that there are many licenced premises within the area that operate with late night trading hours, including Manly Wharf Hotel, Hugos, The Bavarian and El Camino Cantina. It is unclear what conclusion is sought to be drawn from this because the problem of noise and crime on the streets has incrementally increased with each – and another venue will merely add to the problem. The dramatic crime rates noted in the 'hot-spot' mapping at 5.4.4 are clearly linked to alcohol consumption, exacerbated by late-night trading hours. The Assessment opines that '*the Manly area is stable in terms of the number of incidents*', as if to suggest yet another venue will not make a bad situation worse. Putting aside the fact that that is a self-defeating argument, it attempts to play down, if not ignore altogether, the fact the hot-spots are centred around venues serving alcohol, particularly late into the night, and the inevitable consequence of a vast new venue will be that crime rates, noise and neighbourhood disturbance will increase;
8. the stated maximum number of patrons is '700 patrons within the pub' – see the Acoustic Report at 6.4. It must be assumed that this is the number of people who will be actually *attracted* to the area who wouldn't be there otherwise.

The Assessment is therefore misleading and deficient, and should not be relied upon. Council should assume that crime rates, noise and neighbourhood disturbance will increase, particularly in the areas (including the residential areas) immediately adjacent to the venue.

I do not dispute the conclusions in the **Access Review**.

The **Acoustic Assessment** speaks to current and anticipated (a) patron noise, (b) music noise, (c) building services noise around the site, and (d) additional vehicle traffic.

Manly 4 Location 3 is located at L03 (R15 40 East Esplanade). That location is a significant distance from both East Esplanade and Wentworth Street (although it purports to capture noise on both), which is:

1. one of the two intersections that will take the 'brunt' of the new noises (a) to (d);
2. in contrast to the 'roadside' locations L2, A2, A3 and A1 (which monitor malfunctioned anyway).

The effect of that unexplained factor is that the noise recordings at L03 are unreliable.

Moreover, there has been no attempt to assess what the effect of the increased patronage will be on *leaving* the venue. Apart from the 'exit signs' referred to at 6.4 – urging '*patrons to be mindful of noise*' (that is, not even requesting they actually moderate it), it is evident the applicant has no active plan to ameliorate the neighbourhood disturbance caused by patrons leaving. On any sensible, objective view, the flaccid and ineffective 'caution' posed by those signs is bound to fail. Yet that is all the applicant is prepared to offer the surrounding neighbourhood and its community of residents, of which there are many, including with young families.

The Assessment is therefore deficient and should not be relied upon; and the applicant's proposals with respect to noise are superficial and deficient.

I do not dispute the conclusions in the **NCC Section J – J1V3 Assessment Report**.

Kind regards,
David Colman

[Redacted signature block]